

## Manatee County Zoning Ordinance

### Z-20-09 - TERRA CEIA RV RESORT - PARSON BROWN ORANGES, INC. (OWNER) - MHC OPERATING PARTNERSHIP, L.P. (CONTRACT PURCHASER) - PLN2005-0003

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 15-17, AS AMENDED, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONE OF APPROXIMATELY 32.01 ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF U.S. 41 NORTH AND BISHOP HARBOR ROAD AND COMMONLY KNOWN AS 9505 U.S. 41 NORTH, PALMETTO (MANATEE COUNTY); FROM A-1 (SUBURBAN AGRICULTURE) TO THE RVP (RECREATIONAL VEHICLE PARK) ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Parson Brown Oranges, Inc. (Owner)/LLN Holdings, LLC (Contract Purchaser) (the "Applicants") filed an application to rezone approximately 32.01 acres described in Exhibit "A", attached hereto, (the "Property") from A-1 (Agriculture Suburban) to the RVP (Recreational Vehicle Park) zoning district, and LLN Holdings, LLC subsequently assigned the purchase contract to MHC Operating Partnership, L.C.; and

**WHEREAS**, the Building and Development Services staff has recommended approval of the rezone, as described in the staff report; and

**WHEREAS**, the Manatee County Planning Commission, after due public notice, held a public hearing on September 10, 2020 to consider the rezone, received the staff recommendation and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

**WHEREAS**, the Manatee County Planning Commission, as the County's Local Planning Agency, found the rezone consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval of the application.

### **NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA;**

**Section 1. FINDINGS OF FACT.** The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners. The Board of County Commissioners of Manatee County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of the County, as well as all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerned the application for Official Zoning Atlas

Amendment as it relates to the real property described in Exhibit “A” of this Ordinance for approximately 32.01 acres from A-1 (Agriculture Suburban) to the RVP (Recreational Vehicle Park) zoning district.

B. The Board of County Commissioners, after due public notice, held a public hearing on October 1, 2020 regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of the Manatee County Land Development Code and has further considered the information received at the public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Exhibit “A” herein is found to be consistent with the requirements of the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.

**Section 2. AMENDMENT OF THE OFFICIAL ZONING ATLAS.** The Official Zoning Atlas of Manatee County, Ordinance No. 15-17, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property described in Exhibit “A”, incorporated by reference herein, for approximately 32.01 acres from A-1 (Agriculture Suburban) to the RVP (Recreational Vehicle Park) zoning district, and the Clerk of the Circuit Court, as clerk to the Board of County Commissioners, as well as the Building and Development Services Department, are hereby instructed to cause such amendment to the Official Zoning Atlas.

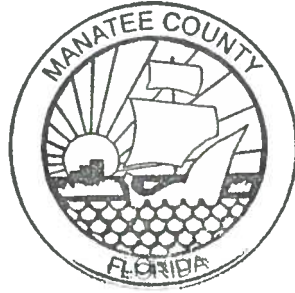
**Section 3. SEVERABILITY.** If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

**Section 4. CODIFICATION.** Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

**Section 5. STATE AND FEDERAL PERMITTING.** The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approval or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

**Section 6. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

**PASSED AND DULY ADOPTED**, by the Board of County Commissioners of Manatee County, Florida on the 1<sup>st</sup> day of October 2020.



**BOARD OF COUNTY  
COMMISSIONERS OF MANATEE  
COUNTY, FLORIDA.**

BY:   
Betsy Benac, Chairman

**ATTEST: ANGELINA COLONNESO  
Clerk of the Circuit Court**

BY:   
Deputy Clerk

## Exhibit "A"

### Legal Description

**DESCRIPTION:** A parcel of land lying in Section 19, Township 33 South, Range 18 East, Manatee County, Florida, and being more particularly described as follows:

**COMMENCE** at the Northwest corner of said Section 19, run thence along the North boundary of the Northwest 1/4 of said Section 19, N.89°30'06"E., 1493.34 feet to the East railroad right-of-way line of C.S.X. Transportation Railroad (130' Railroad Right-of-Way, per monumentation and centerline of existing tracks, also formerly known as Tampa Southern Railroad and Seaboard Coastline Railroad); thence along said East railroad right-of-way line, S.00°28'28"W., 30.00 feet to the South maintained right-of-way line of BISHOP HARBOR ROAD (S.R. 683), for the **POINT OF BEGINNING**; thence along said South maintained right-of-way line, lying 30.00 feet South of and parallel with said North boundary of the Northwest 1/4 of Section 19, N.89°30'06"E., 714.71 feet to the West boundary of the East 480 feet of the Northeast 1/4 of said Northwest 1/4 of Section 19; thence along said West boundary of the East 480 feet of the Northeast 1/4 of the Northwest 1/4 of Section 19, S.00°21'00"W., 225.02 feet to the South boundary of the North 255 feet of said Northeast 1/4 of the Northwest 1/4 of Section 19; thence along said South boundary of the North 255 feet of the Northeast 1/4 of the Northwest 1/4 of Section 19, N.89°30'06"E., 410.75 feet to the West right-of-way line of State Road No. 45 (U.S. Highway 41) per Florida Department of Transportation Right of Way Map, Section 13030-2502; thence along said West right-of-way line the following two (2) courses: 1) S.00°37'45"W., 904.38 feet to a point of curvature; 2) Southerly, 54.89 feet along the arc of a curve to the right having a radius of 11391.16 feet and a central angel of 00°16'34" (chord bearing S.00°46'02"W., 54.89 feet) to a point on a curve on the former West right-of-way line of State Road No. 45 (U.S. Highway 41), as shown on said Florida Department of Transportation Right of Way Map, Section 13030-2502; thence along said former West right-of-way line, Southwesterly, 149.33 feet along the arc of a curve to the right having a radius of 1399.39 feet and a central angle of 06°06'50" (chord bearing S.16°33'07"W., 149.26 feet to the South boundary of aforesaid Northeast 1/4 of the Northwest 1/4 of Section 19, thence along said South boundary of the Northeast 1/4 of the Northwest 1/4 of Section 19, S.89°44'08"W., 1081.82 feet to aforesaid East railroad right-of-way line of C.S.X. Transportation Railroad; thence along said East railroad right-of-way line, N.00°28'28"E., 1322.55 feet to the **POINT OF BEGINNING**.

Containing 32.016 acres, more or less.

**LESS AND EXCEPT** water well described in Official Records Book 86, Page 675, of the Public Records of Manatee County, Florida.



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

October 5, 2020

Honorable Angelina Colonnese  
Clerk of the Circuit Court  
Manatee County  
Post Office Box 25400  
Bradenton, Florida 34206

Attention: Quantana Acevedo

Dear Ms. Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. Z-20-09, which was filed in this office on October 2, 2020.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb